

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA, :
: NO. 1:02-CR-00115
:
v. : ORDER
:
JORDAN BENJAMIN. :
:
:

This matter is before the Court on Defendant's Motion to Modify Conditions of Bond (doc. 36), to which the government has expressed no objection. The Defendant requests modification to the conditions of his bond so as to allow him to be released from custody on home confinement with electronic monitoring, pending placement in a community corrections facility.

On March 16, 2007, the United States Probation Department petitioned the Court to revoke Defendant's supervised release due to violations of conditions of supervision (doc. 26). The Court approved this request, and Ordered the issuance of a warrant for Defendant's arrest (doc. 27). On March 30, 2007, the Defendant appeared before Magistrate Judge Timothy S. Hogan, and was released on an own recognizance bond, with the condition that the Defendant be released to the custody of the United States Probation Department once a bed became available at a halfway house (doc. 33). The United States Probation Department subsequently contacted the United States Bureau of Prisons and requested that the

Defendant be designated to the Talbert House-Cornerstone Program. However, the Probation Department was informed that no funding existed through either the Bureau of Prisons or through the United States Probation Department that would pay for Defendant's pre-hearing placement at the Talbert House-Cornerstone Program. The Defendant has since consented to a modification of the terms of supervision, requesting placement in a Residential Re-entry Center (Talbert House) for a period of 120 days, with the violation hearing being held in abeyance during this period (doc. 37).

The Court was informed by the U.S. Probation Department on April 12, 2007, that the Defendant has been designated by Bureau of Prisons to enter into a Residential Re-entry Center (Talbert House) on Friday, April 13, 2007 for a period of 120 days. Based on this information, the Court finds Defendant's motion to be without basis. Accordingly, Defendant's Motion to Modify Conditions of Bond (doc. 36) is hereby DENIED AS MOOT.

SO ORDERED.

Dated: April 17, 2007

s/S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge